Supreme Court, U.S.
FILED

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No. 02 1208 DEC 11 2002

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

ROBERT E. MEADE,

Petitioner,

v.

DECISIONS OF THE ORPHANS' COURT FOR
ANNE ARUNDEL COUNTY, et al.

Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF APPEALS OF MARYLAND

PETITION FOR WRIT OF CERTIORARI

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81pp

QUESTIONS PRESENTED

Whether the Judges of the Circuit Court of Maryland for Anne Arundel County and the Orphans' Court of Maryland for Anne Arundel abused their discretion in signing Orders authored by one of the opposing attorneys, Walter S. B. Childs, which denied the Petitioner his rights to further defend his interests in the subject matter by denying him from filing any pleadings, answer to pleadings, exceptions, objections, appeals, or any papers and even the opportunity to be heard?

Whether the Judges of the Circuit Court of Maryland for Anne Arundel County and the Orphans' Court of Maryland for Anne Arundel County abused their discretion in entering judgments, sanctions, and awarding attorney's fees pursuant to Maryland Rule 1-341 without explicit findings and evidence and /or proof of such that the Petitioner had these items or had acted in bad faith without an opportunity to be heard because of the Petitioner's illness?

Whether the Judges of the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County abused their discretion in continuing with the Petitioner's case when the case was outside their jurisdiction?

Whether the Judges of the Orphans' Court erred in allowing the Successor Personal Representative, whose appointment the Petitioner had appealed, continue administering the estate when the Petitioner had filed a complaint against her and her attorney, Walter S. B. Childs, for defrauding him of his share of the estate?

PARTIES TO THE PROCEEDING

The parties to the direct appeals from the Circuit Court of Maryland for Anne Arundel County and from the Orphans' Court of Maryland for Anne Arundel County to the Court of Appeals of Maryland were the Petitioner, Robert E. Meade, and the Respondents, Patricia A. Miller, Successor Personal Representative and her attorney, Walter S. B. Childs, Roger K. Meade, and his attorney, Joel L. Katz.

TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED	i
PARTIES TO THE PROCEEDING	ii
APPENDIX	iv
TABLE OF AUTHORITIES	vii
OPINIONS BELOW	1
JURISDICTION	1
STATEMENT OF THE CASE	2
REASONS FOR GRANTING THE PETITION . .	5
CONCLUSION	12

APPENDIX

	Page
Order of the Court of Appeals (Petition No. 197) denying Reconsideration dated September 12, 2002	A
Order of the Court of Appeals (Petition No. 258) denying Reconsideration dated September 12, 2002	B
Order of the Court of Appeals (Petition No. 276) denying Reconsideration dated September 12, 2002	C
Order of the Court of Appeals (Petition No. 277) denying Reconsideration dated September 12, 2002	D
Motion For Reconsideration (Petition No. 197) dated August 12, 2002	E
Motion For Reconsideration (Petition No. 258) dated August 12, 2002	F
Motion For Reconsideration (Petition No. 276) dated August 12, 2002	G
Motion For Reconsideration (Petition No. 277) dated August 12, 2002	H

Order of the Court of Appeals (Petition No. 197) . . . I
dated July 18, 2002

Order of the Court of Appeals (Petition No. 258) . . J
dated July 18, 2002

Order of the Court of Appeals (Petition No. 276) . . . K
dated July 18, 2002

Order of the Court of Appeals (Petition No. 277) . . L
dated July 18, 2002

Motion For Postponement (Petition No. 197) . . . M
dated May 6, 2002

Order Denying Motion To Rescind Order and . . . N
Entering Sanctions (Petition No. 197) dated May 6, 2002

Order Denying Motion Of Robert E. Meade . . . O
For Sanctions And Order On Cross Motion Entering
Sanctions (Petition No. 197) dated May 6, 2002

Order Entering Judgment for Patricia A. Miller, . . . P
Esquire (Petition No. 197) dated May 6, 2002

Order Entering Judgment for Patricia A. Miller, . . . Q
Successor Personal Representative (Petition No. 197)
dated May 6, 2002

Order of the Orphans' Court (Petition No. 258) . . . R
dated June 6, 2002

Decision of the Orphans' Court (Petition No. 276) . . S
dated June 4, 2002

Order of the Orphans' Court (Petition No. 276) . . . T
dated June 6, 2002

Order Denying Motion For Removal And Entering . . U
Sanctions (Petition No. 276) dated June 6, 2002

Order of the Orphans' Court (Petition No. 276) . . . V
dated June 6, 2002

Decision of the Orphans' Court (Petition No. 277) . . W
dated June 11, 2002

Order of the Orphans' Court (Petition No. 277) . . . X
dated June 11, 2002

Order of the Orphans' Court (Petition No. 277) . . . Y
dated June 11, 2002

Order of the Orphans' Court (Petition No. 277) . . . Z
dated June 11, 2002

TABLE OF AUTHORITIES

Page

Cases

Bordenkircher v. Hayes, 434 U.S. 357, 98 S Ct. 663 . . . 9

Fowler v. Brady, 110 Md. 204, 73 A. 15 (1909) . . . 6

Gibson v. Cook, 62 Md. 256 6

Griffin v. Leslie, 20 Md. 15 7

Holt v. Virginia, 381 U.S. 131, 85 S Ct. 1375 7

Kothe v. Smith, 771 F 2d 667 (2d Cir. 1995) 10

Lang v. Catterton, 267 Md. 268, 297 A. 2d 735 (1972) . . 8

Levering v. Levering, 64 Md. 410 6

Link v. Wabash Railroad Co., 370 U. S. 626 9

Mitchell v. Iowa Cab Co., 31 A.D. 2d 519, 294 N.Y.S. 2d 749 10

National Hockey League v. Metropolitan Hockey Club, Inc., 427 U.S. 639 (1976) 11

Schunk v. Schunk, 446 N.Y.S. 2d 672 10

Succession of Esteves, 183 La 274, 163 So. 99 (1935) . . 9

Truax v. Corrigan, 257 U.S. 312, 42 S Ct. 124 (1921) . 11

Wolff v. Laverne, Inc., 17 A. D. 2d 213, 233 N.Y.S. 2d 555 10

Constitutional Provisions

Constitutional Law 328 9

Maryland Constitution, Article IV § 8 6

Due Process Clause of the 14th Amendment to the United States Constitution 5, 11

Statutes

28 U. S. C. § 1257 (a) 1, 5

Maryland Rule 2-505(a) 6

Maryland Code, Article 93, Section 271 6

Annotated Code of Maryland, Courts and Judicial Proceedings § 12-301 7

PETITION FOR WRIT OF CERTIORARI

The Petitioner, Robert E. Meade, respectfully requests that a writ of certiorari issue to review the consolidation of the orders of the Court of Appeals of Maryland, Petition Nos. 197, 258, 276, and 277. The issues, subject matter, etc. are similar and the date of the decisions are all the same.

OPINIONS BELOW

The Petitioner, Robert E. Meade, filed direct appeals and stays of decisions, orders, judgments of the Orphans' Court of Maryland for Anne Arundel County and of the Circuit Court of Maryland for Anne Arundel County since the Petitioner was denied through customized Orders from filing any motions, petitions, objections, exceptions, appeals, or other papers in both the Orphans' Court and the Circuit Court. The customized Orders were written by one of the opposing attorneys, Walter S. B. Childs. The Petitioner was forced to by pass the Court of Special Appeals. The Court of Appeals of Maryland issued Orders denying the petitions. (App. I, J, K, L) The Petitioner filed separate Motions for Reconsideration, pursuant to Maryland Rule 8-605. (App. E, F, G, H) The Court of Appeals of Maryland issued Orders denying the reconsideration of petitions. (App. A, B, C, D)

JURISDICTION

The reconsideration of the Orders of the Court of Appeals of Maryland were denied on September 12, 2002. The Orders of the Court of Appeals of Maryland denying the petitions were entered on July 18, 2002. The jurisdiction of the United States Supreme Court to review the Orders is invoked under 28 U.S.C. § 1257(a).

STATEMENT OF THE CASE

Robert E. Meade, one of two heirs and Petitioner, filed an objection to the Successor Personal Representative, Patricia A. Miller, Esquire, and her attorney, Walter S. B. Childs. The Successor Personal Representative was proposed by Joel L. Katz, attorney for the other heir, Roger K. Meade, and the Orphans' Court of Maryland for Anne Arundel County appointed her without allowing Robert E. Meade to propose a Successor Personal Representative. That appeal is currently before the Court of Special Appeals.

The Orphans' Court made several other decisions, judgments, and orders which the Petitioner appealed to the Circuit Court of Maryland for Anne Arundel County for a "de novo" trial by jury. The Circuit Court consolidated the appeals and the Petitioner appealed this Order to the Court of Special Appeals. The Circuit Court continued as if no appeal had been filed. Judge Silkworth, the Judge that was specially assigned these cases, set up a scheduling conference for January 17, 2002 and continued this scheduling conference until February 1, 2002 because of a prepaid vacation of one of the opposing attorneys, Joel L. Katz. Shortly before February 1, 2002, the Petitioner was very ill and asked for a continuance. The continuance was denied and Judge Silkworth held the scheduling conference but proceeded as if it was a continuance of the case in the Orphans' Court and not a scheduling conference. Judge Silkworth set another scheduling conference for February 22, 2002. The Petitioner was still very ill and could not be present and asked for a continuance. Judge Silkworth denied the continuance and dismissed the Petitioner's consolidated appeals. The Petitioner appealed the Order dismissing his appeals and that appeal is currently before the Court of Special Appeals.

Both the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County, knowing the effect the appeals had on their jurisdiction, continued to hold hearings.

This petition stems from the abuse of discretion by Judge Ronald A. Silkworth of the Circuit Court of Maryland

for Anne Arundel County in granting and in signing Orders authored by one of the opposing attorneys, Walter S. B. Childs, on May 6, 2002. Judge Silkworth scheduled a hearing for May 6, 2002 and did not inform Robert E. Meade, the Petitioner, of this hearing. Since the opposing attorney, Walter S. B. Childs, one of the Respondents, had pending sanctions and pending Orders authored by him, it was to his advantage not to have the Circuit Court inform the Petitioner of the hearing. The Petitioner learned of the hearing on May 4, 2002 and filed a Motion for Postponement. (App. M) Judge Silkworth held this hearing even though he had no jurisdiction since the Petitioner had appeals on the same subject matter before the Court of Special Appeals and Judge Silkworth had a conflict of interest. The Petitioner had a pending complaint against Judge Silkworth and the Circuit Court and had sent the Informal Brief to Judge Silkworth. Judge Silkworth had sent the Informal Brief back to the Petitioner saying that there was no certificate of service even though this was incorrect. The certificate of service was on the last page of the Informal Brief. Judge Silkworth signed the Orders which Walter S. B. Childs had written and prepared for Judge Silkworth's signature. Judge Silkworth and the Circuit Court acted on matters which they had no jurisdiction. The amount of $59,242.00 were for items that the Petitioner was accused of having without any evidence and/or proof of such and these judgments were on appeal at the Court of Special Appeals. The Orphans' Court, without jurisdiction, wrongly placed these judgments against the Petitioner and therefore, he appealed them. The Respondent, Walter S. B. Childs, deceived the Court and included these judgments in the Order which he authored. This Order incorporated both the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County. (App. N)

Judge Silkworth also granted attorney fees to everyone on the opposing side and ordered judgments against the Petitioner because he was unable to appear due to his illness. (App. N, O, P, Q) The other heir, Roger K. Meade, and his

attorney, Joel L. Katz, were also granted fees according to the transcript of May 6, 2002. The Court awarded $288.46 for Roger K. Meade and $1,250.00 for Joel L. Katz. However, there are no Orders signed by Judge Silkworth in the Court file nor are these judgments listed in the Notice of Recorded Judgments. Being barred from filing any appeals, the Petitioner was forced to file a direct appeal of these Orders and Judgments to the Court of Appeals of Maryland, Petition No. 197.

On June 6, 2002, the Orphans' Court granted the Estate's First Petition for Authority to Distribute Assets and "Ordered: That the interested parties shall have twenty (20) days from the date hereof to file a response after which time this order shall become final". (App. R) Being barred from filing any exceptions and appeals, the Petitioner was forced to file a direct exception and/or appeal of this Order to the Court of Appeals of Maryland, Petition No. 258.

On June 6, 2002, the Orphans' Court of Maryland for Anne Arundel County signed a customized Order. (App. V) This Order was also authored by one of the opposing attorneys, Walter S. B. Childs, in the attempt to continue defrauding the Petitioner of his share of his mother's estate. The Orphans' Court also issued a Decision (App. S) and Order (App. T) which dismissed the Petitioner's Objections, Petitions and Motions for failure to appear because of illness. An Order Denying Motion For Removal and Entering Sanctions (App. U) was decided and entered by the Orphans' Court on June 6, 2002. The Petitioner was forced to file appeals of these Orders and Decisions direct to the Court of Appeals of Maryland, Petition No. 276.

On June 11, 2002, the Orphans' Court made Decisions (App. W), Orders for attorney's fees (App. X), Order pertaining to the Personal Representative's Commission (App. Y), and Order paying Thomas J. Aversa, Jr., Esquire, attorneys fees. (App. Z) The Petitioner, being barred from filing any appeals and being barred from even being heard, was forced to file an appeal directly to the Court of Appeals of Maryland, Petition No. 277.

REASONS FOR GRANTING THE PETITION

The Petitioner files his Petition to the Supreme Court of the United States within the required ninety (90) days and his case presents an issue which is appropriate for review by this Court.

The Supreme Court has jurisdiction to issue a writ of certiorari in this matter. The Petitioner's case is a case involving constitutional principles. Therefore, review by this Court is appropriate under 28 U.S.C. § 1257 (a) that allows this Court to review "{f}inal judgments or decrees rendered by the highest court of the State in which a decision could be had...where any title, right, privilege, or immunity is specially set up or claimed under the Constitution".

Due process is a constitutional mandate, which provides that no person shall be "deprived of life, liberty, or property, without due process of law". The fundamental requirement of due process is the opportunity to be heard. It was an error of the Courts not to weigh genuine disputes of material facts. Both the Circuit Court and the Orphans' Court of Maryland for Anne Arundel County tried to force the Petitioner to let the Successor Personal Representative finish administering the estate and probate the estate. Because of all of the failed attempts to force the Petitioner, the Respondents, the Successor Personal Representative and her attorney, then tried to dismiss the appeals which the Petitioner had filed with the Court of Special Appeals. Also failing in this endeavor, the Respondents then tried to deny the Petitioner his constitutional right to be heard and to defend his interests in the estate case.

The driving force of the Respondents is to work with the other heir, Roger K. Meade, and his attorney, Joel L. Katz, so that the three attorneys can defraud the Petitioner of his share of the estate so that they may divide it amongst themselves. Knowing that these deceitful tactics can only work if they were to get both the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County on their

side, the Respondents dedicated all of his efforts to this new pursuit.

The Supreme Court should review the Petitioner's case in light of the structural and procedural errors of the Circuit Court and the Orphans' Court of Maryland for Anne Arundel County. From the beginning, the Orphans' Court has proceeded in a manner unlike other probate courts that have limited jurisdiction. The Maryland Code, Article 93, Section 271, restricts the powers and authority of the Orphans' Court, clearly stating it "shall not, under pretext of incidental power or constructive authority, exercise any jurisdiction not expressly conferred by law". Throughout this estate case, the Orphans' Court of Maryland for Anne Arundel County has lacked jurisdiction. "The Orphans' Court does not have jurisdiction to determine questions of title to property, except where a person interested in the estate charges the administrator with concealing or having in his hands property belonging to the estate, which he has omitted to return in the inventory of list of debts". Gibson v. Cook, 62 Md. 256 and "The Orphans' Court has no jurisdiction as between an administrator and a third person claiming title to the property". Fowler v. Brady, 110 Md. 204, 73 A. 15 (1909) "We do not find anywhere that it is clothed with jurisdiction to try questions of title to personalty" Levering v. Levering, 64 Md. 410 Yet, the Orphans' Court made decisions, judgments, and orders, which were out of their authority. Further, the Orphans' Court continued issuing decisions, judgments, and orders on the same subject matter of his appeals that are now and were in the Court of Special Appeals. Because of this, the Petitioner filed a Motion for Removal under Maryland Rule 2-505(a), exercising his right to remove his case guaranteed by the Maryland Constitution, Article IV § 8 so as to guarantee impartial administration of justice. The Petitioner presented proof that he cannot have a fair and impartial hearing in the Orphans' Court because of its bias consistently shown towards the Successor Personal Representative and her attorney, Walter S. B. Childs.

> "The due process clause of the Fifth Amendment entitles a person to an impartial and disinterested tribunal in both civil and criminal cases, and such requirement of neutrality in adjudicative proceedings safeguards the two central concerns of procedural due process-the prevention of unjustified or mistaken deprivations and the promotion of participation and dialogue by affected individuals in the decision making process". Holt v. Virginia, 381 U.S. 131, 85 S Ct. 1375

The Petitioner asked the Court of Appeals of Maryland to find as the opinion of the Court stated in another case,

> "The appellant having filed his suggestion in the manner and form prescribed by the Constitution and Acts of Assembly, the court below erred in refusing to order the removal, and the subsequent proceedings were "coram non judice" "That the provisions of Art 10 of the Constitution, upon the filing of the appellant's suggestion for removal, the court below was deprived of all jurisdiction over the suit, except the power to designate to which adjoining county it should be removed; and that the judgment subsequently rendered by the court, being without lawful authority must be reversed". Griffin v. Leslie, 20 Md. 15

Despite, the Orphans' Court lack of jurisdiction, the Orphans' Court continued holding hearings and continued issuing decisions, judgments, and orders. Under the Annotated Code of Maryland, Courts and Judicial Proceedings § 12-301, "the lower court lacks jurisdiction to take any further action in the case with respect to the subject matter of the appeal until the receipt of the mandate of the appellate court, after the appeal has been heard and decided".

Any party who may deem himself aggrieved by any decree, order or decision of the Orphans' Court may appeal to the Circuit Court. However, the Petitioner was barred from filing any appeals to the Circuit Court and to the Court of Special Appeals because of the customized Orders signed by both the Courts, which were authored by the opposing attorney, Walter S. B. Childs. The Order signed by the

Orphans' Court was to force the Petitioner into allowing the Successor Personal Representative and her attorney to administer the estate even though they were defrauding the Petitioner of his share of the estate.

These actions by both the Circuit Court and the Orphans' Court are important not only to the Petitioner but others whose relative dies and has a last will and testament and with the influence of the attorneys, the Courts allow them to determine how the estate is to be divided rather than what is clearly written in the decedent's last will and testament. Thus, review by the Supreme Court of the United States is imperative.

The Petitioner had every right under the Constitution of the United States to file any pleadings, appeals, and to be heard which adversely affects the Petitioner such as sanctions, judgments, and orders which were improperly, unfairly, and unjustly imposed on the Petitioner. These Orders gave the opponents the opportunity to file motions, administration accounts, etc. without allowing the Petitioner to respond and therefore depriving him of being heard on these motions. The Orphans' Court and the Circuit Court of Maryland for Anne Arundel County with these "Orders which affect the "meat" of subject matter, of an appeal, have not been permitted". Lang v. Catterton, 267 Md. 268, 297 A. 2d 735 (1972)

The Supreme Court must evaluate the role of the lower courts in the Petitioner's estate case and decide some important issues. Can we let the courts take away our rights to be heard? Does a probate court have the authority to force an administration of an estate on its own terms, not taking into account the Petitioner appealing the Order appointing a Successor Personal Representative, which is the principle player in administering a last will and testament. "When we allow the desire to reduce Court congestion to justify the sacrifice of substantial rights of the litigants in cases like this, we attempt to promote speed in administration, which is desirable, at the expense of justice, which is indispensable to any Court system worthy of its

name". Link v. Wabash Railroad Co., 370 U.S. 626.

The Respondents always labeled the Petitioner as a "disgruntled heir" which is far from the truth. The Petitioner is only aiming to satisfy the wishes of his late mother, which are clearly written in her last will and testament. Once the Petitioner appealed the Order appointing the Successor Personal Representative. "The authority of a representative is suspended, pending the appeal and he or she is not authorized to proceed with the administration even though he or she has given an appeal bond". Succession of Esteves, 183 La 274, 163 So. 99 (1935)

The Petitioner was deprived of his constitutional right of access to the courts. The Petitioner alleges "Constitutional right of access to courts is ancillary to underlying claim, without which plaintiff cannot have suffered injury by being shut out of court". Constitutional Law 328 The conduct of the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County in judicial affairs is an important issue. The Petitioner has been punished by both Courts for doing nothing more than exercising his constitutional rights.

> "To punish a person because he has done what the law plainly allows him to do is a due process violation of the most basic sort, and for an agent of the state to pursue a course of action whose objective is to penalize a person's reliance in his legal rights is patently unconstitutional..." Bordenkircher v. Hayes, 434 U.S. 357, 98 S Ct 663

The framers of the Constitution of the United States did not intend that Orders such as those written by one of the opposing attorneys, Walter S. B. Childs, be allowed since it strips the rights of a litigant.

The Supreme Court must evaluate the unprecedented jurisdiction that the Circuit Court and the Orphans' Court of Maryland for Anne Arundel County have had in the estate case of Helen V. Meade. The Courts have sought out to force the Petitioner to let the Successor Personal Representative administer and close the estate not according to the decedent's last will and testament but according to the

desires of the Successor Personal Representative siding with the other heir so that they may receive all the estate. The Supreme Court should find as did the court in Schunk v Schunk, 446 N.Y.S. 2d 672

> "Pressure tactics to coerce settlement simply are not permissible" "in view of the pressure the trial court had exerted on the parties to reach settlement, trial court's order directing the parties to proceed with settlement after wife learned that she could not comply with the terms of the settlement had to be vacated and the stipulation rescinded. Order reversed".

Also, the Supreme Court should find as did the court in Mitchell v. Iowa Cab Co., 31 A.D. 2d 519, 294 N.Y.S. 2d 749 "The courts efforts should not serve as a lever to exert undue process on litigants to oblige them to settle their controversies without their day in court". Further, the Supreme Court should contend, as did the court in Kothe v. Smith, 771 F 2d 667 (2d Cir. 1995), that "Although the law favors the voluntary settlement of civil suits...it does not sanction efforts by trial judges to effect settlements through coercion". It should find that "To penalize plaintiff by revoking a preference theretofore granted following her failure to accept an offer consequent on a pretrial exploration of the possibility of settlement constitutes a gross abuse of discretion". Wolff v. Laverne, Inc., 17 A.D. 2d 213, 233 N.Y.S. 2d 555.

In summary, the courts should not take away a person's right to be heard. There is a grave injustice in the Courts' actions. The trial judge's main procedural function is to guarantee a "fair trial" not to settle cases or close estates. By trying to force the Petitioner to accept the self interest dealings of the Respondents and letting them administer the estate, the Courts became bias towards them and prejudice against the Petitioner. The court system is designed to guarantee just trials, which require the impartiality of the trial judge. We must see that lawyers, such as Walter S. B. Childs, do not influence the court systems. The public interest is to see that the court system is not persuaded by

either party in a litigation. No other attorney, as far as the Petitioner has been able to research, has ever authored Orders other than the Respondent, Walter S. B. Childs, in any other County of Maryland or anywhere in the United States that can result in preventing the other side from filing any pleadings, appeals of the decisions, judgments, and orders of any of the pleadings and not even being allowed to be heard in the proceedings. These Orders are a denial of justice and are subject to appellate review where error in exercise of discretion is plainly shown and works material hardship on the Petitioner.

The Due Process Clause of the 14th Amendment to the United States Constitution has been reviewed by this Honorable Court in numerous cases. The Petitioner, through Orders authored by the opposing attorney, Walter S. B. Childs, and signed by both the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County, was denied his right and opportunity to be heard and to present his case. The Court should hold as it held in Truax v. Corrigan, 257 U.S. 312, 42 S. Ct.124 (1921):

> " The due process clause requires that every man shall have the protection of his day in court, and the benefit of the general law, a law which hears before it condemns, which proceeds not arbitrarily or capriciously, but upon injury, and renders judgment only after trial, so that every citizen shall hold his life, liberty, and immunities under the protection of the general rules which govern society".

and as it held in National Hockey League v. Metropolitan Hockey Club, Inc., 427 U.S. 639 (1976):

> " The record in this case is devoid of any evidence of willful or bad faith noncompliance with court orders. This Court had held that a litigant should only receive a sanction as severe as dismissal or default judgment under a rule 37 (b) order when it is shown that instances of noncompliance were characterized as willful, bad faith, or other such culpable misconduct by the litigant".

The Petitioner is asking the Supreme Court of the United States to review the denial of his constitutional rights. The dwelling of the Supreme Court of the United States reads " Equal Justice Under Law". This is what the Petitioner and so many others seek in the justice system. However, as in the Petitioner's case, one is barred from this because of the unethical practices of the Respondents' maneuvering at every step in litigation to deny the Petitioner equal justice and to deny him his right to be heard. Both the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County have clearly demonstrated bias towards the Respondents and prejudice against the Petitioner. These injustices can only be corrected by the Supreme Court of the United States. The Supreme Court can assure that no Court can be so influenced by one attorney, Walter S. B. Childs, so as to deny a litigant access to the legal system and to deny him of his constitutional rights.

CONCLUSION

For all the foregoing reasons, this Petition for Writ of Certiorari should be granted and a Writ of Certiorari should be issued to the Petitioner.

Respectfully submitted,

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APPENDIX

ROBERT E. MEADE	*	IN THE
		COURT OF APPEALS
v.	*	
		OF MARYLAND
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al.	*	Petition Docket No. 197 September Term, 2002
	*	
		(No. 2408, Sept. Term, 2001, Court of Special Appeals) Mistake: should be (No. C-2001-72141.OC, Circuit Court for Anne Arundel County)

O R D E R

The Court having considered the motion for reconsideration, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the motion be, and it is hereby, denied.

/s/ Robert M. Bell
Chief Judge

DATE: September 12, 2002

B

ROBERT E. MEADE	*	IN THE
		COURT OF APPEALS
v.	*	
		OF MARYLAND
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al.	*	Petition Docket No. 258 September Term, 2002
	*	(No. C-2001-72141.OC,
	*	Circuit Court for Anne Arundel County)

O R D E R

The Court having considered the motion for reconsideration, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the motion be, and it is hereby, denied.

/s/ Robert M. Bell
Chief Judge

DATE: September 12, 2002

C

ROBERT E. MEADE	*	IN THE
		COURT OF APPEALS
v.	*	
		OF MARYLAND
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al.	*	Petition Docket No. 276 September Term, 2002
	*	
	*	(No. C-2001-72141.OC, Circuit Court for Anne Arundel County)

O R D E R

The Court having considered the motion for reconsideration, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the motion be, and it is hereby, denied.

/s/ Robert M. Bell
Chief Judge

DATE: September 12, 2002

D

ROBERT E. MEADE * IN THE

COURT OF APPEALS

v. *

OF MARYLAND

DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al. * Petition Docket No. 277 September Term, 2002

*

(No. C-2001-72141.OC,

* Circuit Court for Anne Arundel County)

O R D E R

The Court having considered the motion for reconsideration, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the motion be, and it is hereby, denied.

/s/ Robert M. Bell
Chief Judge

DATE: September 12, 2002

E

IN THE COURT OF APPEALS OF MARYLAND

ROBERT E. MEADE	*	
Petitioner	*	
		PETITION DOCKET NO. 197
	*	
		SEPTEMBER TERM, 2002
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, ET AL	*	
	*	
Respondents		
	*	

* * * * * * * * * * *

MOTION FOR RECONSIDERATION

Petitioner, Robert E. Meade, pursuant to Rule 8-301(a)(3) of the Maryland Rules of Procedure, filed an appeal of all Decisions and all Orders of the Circuit Court dated May 6, 2002 directly to the Court of Appeals of Maryland since he was denied by both the Circuit Court and the Orphans' Court of Maryland for Anne Arundel County of his right to appeal. Now, pursuant to Maryland Rule 8-605, Robert E. Meade moves for reconsideration of this Court's July 18, 2002 Order by Judge Robert M. Bell denying the petition

because "there has been no showing that review by certiorari is desirable and in the public interest". The Petitioner contends otherwise. He feels that not only did his petition present issues of public interest but also met the criteria of presenting legal issues of first impression in Maryland. He thereby presents the following in support:

1. That the issues in this Petition for Writ of Certiorari are not the same issues as No. 2408 which is now before the Court of Special Appeals of Maryland.

2. On May 6, 2002, the Circuit Court of Maryland for Anne Arundel County signed Orders authored by Walter S. B. Childs, Esquire, that denied the Petitioner from filing any motions, petitions, appeals, exceptions, objections, or other paper not only in the Circuit Court of Maryland for Anne Arundel County, but also in the Orphans' Court of Maryland for Anne Arundel County. It is because of these Orders that the Petitioner has had to file appeals directly to the Court of Appeals of Maryland through Petitions for Writ of Certiorari instead of the usual manner of filing an appeal from the

Circuit Court of Maryland for Anne Arundel County to the Court of Special Appeals of Maryland and then, an appeal to the Court of Appeals of Maryland.

3. Since the Petitioner was denied from filing any appeals in the Circuit Court of Maryland for Anne Arundel County, he was forced to file this Petition for Writ of Certiorari, No. 197, appealing all Decisions and all Orders by the Circuit Court on May 6, 2002 directly to the Court of Appeals of Maryland.

4. The Respondents forced the Petitioner out of the courts so that they would be allowed to proceed to defraud the estate of Helen V. Meade without any opposition from the Petitioner since they were allowed to author Orders which denied the Petitioner the right of access to the Courts. "The right of access to the courts is founded in the due process clause and assures that no person will be denied the opportunity to present to the judiciary allegations concerning violations of fundamental constitutional rights". Wolff v. McDonnell, 418 U.S. 539, 95 S Ct. 2963

5. That upon the filing of the Petitioner's previous appeals to the Court of Special Appeals, the Circuit Court of Maryland for Anne Arundel County has lacked jurisdiction in this matter. The Petitioner contends that the subsequent proceedings, all Decisions, and all Orders were beyond the jurisdiction of the Circuit Court and that the appellate court acquired jurisdiction since appeals were filed within the prescribed time.

6. "Where a right to appeal is given to a party by statute as a matter of right, the court cannot, by provision in the judgment or decree, or otherwise, deprive him of such right". Cain v. State, 74 N. E. 1102, 36 Ind. App. 51

7. Throughout the legal process in this estate case, the Petitioner has been denied the right to fair impartial hearings. "When the roles of neutral magistrate and partisan prosecutor become intertwined as they did in this case, the defendant's right to an impartial decision-maker is denied". Davis v. U. S., 567 A. 2d 36 (D. C. App. 1989)

8. This Petition for Writ of Certiorari involves the

denial of important rights. The Circuit Court has truly denied justice and has violated the constitutional laws of Maryland and of the United States. This also meets the statutory standard for granting the Writ of Certiorari since a review is desirable and in the public interest.

9. The Petitioner also contends that these Orders prevented the Petitioner from filing any answers and exceptions to the Respondents' pleadings, therefore, the Respondents took advantage and filed pleadings requesting all kinds of money judgments against the Petitioner knowing that they forced his hands to be tied and his mouth to be shut, therefore, contemplating the granting of the judgments automatically by the Courts. The Circuit Court not only awarded judgments to Walter S. B. Childs but even went as far as awarding judgments to the Successor Personal Representative, Patricia A. Miller, to the other heir, Roger K. Meade, and his attorney, Joel L. Katz. Through this Petition for Writ of Certiorari, the Petitioner appeals all these Orders.

10. The allowance of having an opposing attorney,

Walter S. B. Childs, authoring Orders and manipulating the Courts so as to deny the Petitioner an equal balance of justice is a legal issue of first impression in the state of Maryland.

WHEREFORE, the Petitioner, Robert E. Meade, prays that this Court of Appeals of Maryland will reverse and remand all Decisions and all Orders of the Circuit Court dated May 6, 2002 as well as all the proceedings held by the Circuit Court since it was deprived of all jurisdiction in this matter. The Petitioner requests that this Court of Appeals of Maryland correct the mistake that this Petition of Writ of Certiorari is the same appeal which is pending in the Court of Special Appeals of Maryland, No. 2408, since it is not, because this Petition of Writ of Certiorari, No. 197, deals with the appeal of all Decisions and all Orders dated May 6, 2002. Further, that this Court of Appeals of Maryland stays any action taken by the Circuit Court and the Orphans' Court of Maryland for Anne Arundel County, the Successor Personal Representative, Patricia A. Miller, her attorney, Walter S. B. Childs, and the other opponents, and stays the

enforcement of judgments of all Orders by the Circuit Court and by the Orphans' Court of Maryland for Anne Arundel County. Since his Petition for Writ of Certiorari was denied, the Petitioner requests that this Court of Appeals reconsiders and grants his Petition for Writ of Certiorari and thereby, issues a Writ of Certiorari to the Petitioner.

Respectfully submitted,

/s/
Robert E. Meade
P.O. Box 2260
Landover Hills, Maryland 20784
(202) 345-9437

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of Aug., 2002, a copy of the foregoing was mailed, first class mail, postage prepaid to Walter S. B. Childs, Esquire, 145 Main Street, Annapolis, Maryland 21401 and Joel L. Katz, Esquire, 2060 West Street, Annapolis, Maryland 21401.

/s/
Robert E. Meade

F

IN THE COURT OF APPEALS OF MARYLAND

ROBERT E. MEADE *

Petitioner *

PETITION DOCKET NO. 258

*

SEPTEMBER TERM, 2002

DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, ET AL *

*

Respondents

*

* * * * * * * * * * *

MOTION FOR RECONSIDERATION

Petitioner, Robert E. Meade, pursuant to Rule 8-301(a)(3) of the Maryland Rules of Procedure, filed an exception and/or appeal directly to the Court of Appeals of Maryland since he was denied by both the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County of his right to file exceptions and/or appeals. Now, pursuant to Maryland Rule 8-605, Robert E. Meade moves for reconsideration of this Court's July 18, 2002 Order by Judge Robert M. Bell denying the petition because "there has been

G

IN THE COURT OF APPEALS OF MARYLAND

ROBERT E. MEADE *

Petitioner *

PETITION DOCKET NO. 276

*

SEPTEMBER TERM, 2002

DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, ET AL *

*

Respondents

*

* * * * * * * * * * *

MOTION FOR RECONSIDERATION

Petitioner, Robert E. Meade, pursuant to Rule 8-301(a)(3) of the Maryland Rules of Procedure, filed an appeal of all Decisions, all Orders, and all Exceptions of the Orphans' Court dated June 6, 2002 directly to the Court of Appeals of Maryland since he was denied by both the Circuit Court and the Orphans' Court of Maryland for Anne Arundel County of his right to appeal. Now, pursuant to Maryland Rule 8-605, Robert E. Meade moves for reconsideration of this Court's July 18, 2002 Order by Judge Robert M. Bell

IN THE COURT OF APPEALS OF MARYLAND

ROBERT E. MEADE *

Petitioner *

PETITION DOCKET NO. 277

*

SEPTEMBER TERM, 2002

DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, ET AL *

*

Respondents

*

* * * * * * * * * * *

MOTION FOR RECONSIDERATION

Petitioner, Robert E. Meade, pursuant to Rule 8-301(a)(3) of the Maryland Rules of Procedure, filed an appeal of all Decisions and all Orders of the Orphans' Court dated June 11, 2002 directly to the Court of Appeals of Maryland since he was denied by both the Orphans' Court and the Circuit Court of Maryland for Anne Arundel County of his right to appeal. Now, pursuant to Maryland Rule 8-605, Robert E. Meade moves for reconsideration of this Court's July 18, 2002 Order by Judge Robert M. Bell, denying petition

ROBERT E. MEADE * IN THE

COURT OF APPEALS

v. *

OF MARYLAND

DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al. * Petition Docket No. 197 September Term, 2002

*

(No. 2408, Sept. Term, 2001, Court of Special Appeals) Mistake: should be (No. C-2001-72141.OC, Circuit Court for Anne Arundel County)

O R D E R

Upon consideration of the petition for a writ of certiorari to the Court of Special Appeals (Mistake: should be **to the Circuit Court for Anne Arundel County**), the request for stay and the answers filed thereto, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition and request for stay be, and they are hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Robert M. Bell
Chief Judge

DATE: July 18, 2002

J

ROBERT E. MEADE	*	IN THE
		COURT OF APPEALS
v.	*	
		OF MARYLAND
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al.	*	Petition Docket No. 258 September Term, 2002
	*	
		(No. C-2001-72141.OC, Circuit Court for Anne Arundel County)

O R D E R

Upon consideration of the petition for a writ of certiorari to the Circuit Court for Anne Arundel County, the request for stay and the response filed thereto, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition and request for stay be, and they are hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Robert M. Bell
Chief Judge

DATE: July 18, 2002

K

ROBERT E. MEADE	*	IN THE
		COURT OF APPEALS
v.	*	
		OF MARYLAND
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al.	*	Petition Docket No. 276 September Term, 2002
	*	
		(No. C-2001-72141.OC, Circuit Court for Anne Arundel County)

O R D E R

Upon consideration of the petition for a writ of certiorari to the Circuit Court for Anne Arundel County, and the request for stay filed thereto, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition and request for stay be, and they are hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Robert M. Bell
Chief Judge

DATE: July 18, 2002

L

ROBERT E. MEADE	*	IN THE
		COURT OF APPEALS
v.	*	
		OF MARYLAND
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al.	*	Petition Docket No. 277 September Term, 2002
	*	(No. C-2001-72141.OC, Circuit Court for Anne Arundel County)

O R D E R

Upon consideration of the petition for a writ of certiorari to the Circuit Court for Anne Arundel County, and the request for stay filed thereto, in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition and request for stay be, and they are hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Robert M. Bell
Chief Judge

DATE: July 18, 2002

M

ROBERT E. MEADE	*	IN THE CIRCUIT COURT
Plaintiff	*	FOR ANNE ARUNDEL COUNTY
v.	*	
DECISIONS OF ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al.	*	Case No. C-2001-72141.OC
	*	
Defendants		

* * * * * * * * * * * *

MOTION FOR POSTPONEMENT

Comes now, Robert E. Meade, the Plaintiff, pursuant to Maryland Rule 2-508, and moves for a postponement of the hearing with Judge Silkworth and states as grounds for this motion the following:

1. That Robert E. Meade was not officially notified of the hearing by the Circuit Court through the U. S. mail, as has been the usual procedure of this Circuit Court.

2. That Robert E. Meade did not receive any notice of hearing from the Circuit Court through the U.S. mail.

3. That Judge Silkworth and the Circuit Court of

Maryland for Anne Arundel County have a conflict of interest due to pending appeals and due to pending legal action.

4. That Robert E. Meade is still very ill and unable to attend this hearing.

5. That Robert E. Meade will supply this Circuit Court and the Orphans' Court with general facts of his illness in order to preserve his right to the doctor-patient confidentiality, once he has exhausted all testing by his doctors and has a final general diagnosis.

6. That Robert E. Meade hopes to be able to attend a hearing if rescheduled for July 18, 2002 or July 25, 2002, assuming no further treatments are needed after all the testing has been completed.

7. That Robert E. Meade has filed an Amended Response To Answer To Motion To Rescind Order Filed By Robert E. Meade With Amended Answer to Cross Motion For Sanctions and the opponents may wish to respond to this pleading.

8. That Robert E. Meade has not been given the proper amount of time to file Answers to Motions pending in this Circuit Court of Maryland for Anne Arundel County.

9. That if this hearing is not postponed, Robert E. Meade's civil rights under the Constitution of the United States would then have been denied, again, resulting in liable actions.

WHEREFORE, Robert E. Meade prays that this Circuit Court reschedule the hearing for the July dates already stated in this Motion and that he be sent a proper notice through the U. S. mail.

Respectfully submitted,

/s/

Robert E. Meade
P.O. Box 2260
Landover Hills, Maryland 20784
(202) 345-9437
For use only by the Circuit Court of Maryland for Anne Arundel County, per Judge Silkworth's Order, where he could be found:

TRUE COPY,

TEST: Robert P. Duckworth, Clerk

By: _____Deputy

Robert E. Meade
2702 Wisconsin Avenue, N.W.
Apt. 503
Washington, D.C. 20007
(202) 337-1295

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ROBERT E. MEADE	*	IN THE
Plaintiff/Appellant	*	CIRCUIT COURT FOR
v.	*	ANNE ARUNDEL
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al	*	COUNTY
Defendants/Appellees	*	CASE NO. C-2001-72141 .OC

ORDER DENYING MOTION TO RESCIND ORDER AND ENTERING SANCTIONS

On the foregoing Motion to Rescind Order filed by Robert E. Meade with Cross Motion for Sanctions filed by Counsel for the Successor Personal Representative, it is this 6th day of May, 2002.

ORDERED: That the Motion to Rescind Order be and it is hereby denied, and it is further

ORDERED: That the Cross Motion for Sanctions filed on behalf of the Estate be and it is hereby granted, and it is further

ORDERED: That because the history of this proceeding

reflects an ongoing, repetitive effort on the part of Robert E. Meade to delay, hinder and harass the administration of this estate without justification, the court specifically finds that the continuing opposition on the part of Robert E. Meade to the efforts to have this estate administered and specifically his recent filing on April 1, 2002 of a Motion to Rescind an Order of this court enrolled on February 13, 2002 was done frivolously and in bad faith and without substantial justification and that the actions on the part of Robert E. Meade aforesaid, merit the assessment of costs and attorney's fees against him, and it is further

ORDERED: Pursuant to Maryland Rule 1-341 that judgment be and it is hereby entered in favor of PATRICIA A. MILLER, SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF HELEN V. MEADE and against ROBERT E. MEADE in the amount of $ One Thousand & Seventy Five DOLLARS ($ 1,075.00) in connection with his recent motion; and it is further

ORDERED: That the court finds a pattern of conduct

repeatedly used by Robert E. Meade: filing in the Orphans' Court and in this Court, frivolous motions, exceptions and appeals, in bad faith, without justification and for the purposes of delay, and the court further finds that the prior sanctions entered against Robert E. Meade totaling in excess of $57,000 have not been paid and there is no expectation that such prior or current sanctions will deter his efforts to frustrate and delay, in bad faith, the administration of this estate, which he has caused to remain open since 1999, and that such conduct on the part of ROBERT E. MEADE justifies the imposition of additional sanctions, and it is further

ORDERED: That the Clerk of the Orphans' Court for Anne Arundel County and the Clerk of this Court shall not accept for filing any motion, petition, appeal, exception, objection, or other paper presented for filing by or on behalf of Robert E. Meade until the said Robert E. Meade has paid unto the estate and others in whose favor sanctions have been entered the total of all sanctions awarded against him as

recited in the Motion, which total, $59,242.00 and a satisfaction of all such awards is filed in this proceeding.

/s/
Judge Ronald A. Silkworth

cc: Walter S. B. Childs, Esq.
145 Main Street
Annapolis, MD. 21401

Robert E. Meade
P.O. Box 2260
Landover Hills, MD. 20784

Joel L. Katz, Esq.
2060 West Street
Annapolis, MD. 21401

Patricia A. Miller, Esq.
170 West Street
Annapolis, MD. 21401

TRUE COPY,

TEST: Robert P. Duckworth, Clerk

By: _____Deputy

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ROBERT E. MEADE	* IN THE
Plaintiff/Appellant	*
	CIRCUIT COURT
v.	*
	FOR
DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, et al.	*ANNE ARUNDEL COUNTY
	*
	*
Defendants/Appellees	CASE NO. C-2001-72141.OC

ORDER DENYING MOTION OF ROBERT E. MEADE FOR SANCTIONS AND ORDER ON CROSS MOTION ENTERING SANCTIONS

On the foregoing Motion for Sanctions filed by Robert E. Meade with Cross Motion for Sanctions filed By Counsel for the Successor Personal Representative, it is this 6th day of May, 2002.

ORDERED: That the Motion for Sanctions filed by Robert E. Meade be and it is hereby denied, and it is further

ORDERED: That the Cross Motion for Sanctions filed on behalf of the Estate be and it is hereby granted, and it is further

ORDERED: That because the history of this proceeding reflects an ongoing, repetitive effort on the part of Robert E. Meade to delay, hinder and harass the administration of this estate without justification, the court specifically finds that the continuing opposition on the part of Robert E. Meade to the efforts to have this estate administered and specifically his recent filing of a motion for sanctions against Patricia A. Miller, Walter S. B. Childs, et al was done frivolously and in bad faith and without substantial justification and that the actions on the part of Robert E. Meade aforesaid, merit the assessment of costs and attorney's fees against him, and it is further

ORDERED: Pursuant to Maryland Rule 1-341 that judgment be and it is hereby entered in favor of PATRICIA A. MILLER, SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF HELEN V. MEADE and against ROBERT E. MEADE in the amount of $ Four Hundred & Thirty DOLLARS ($ 430.00.00) in connection with his motion for sanctions.

/s/
Judge Ronald A. Silkworth

cc: Walter S. B. Childs, Esq.
145 Main Street
Annapolis, MD. 21401

Robert E. Meade
P.O. Box 2260
Landover Hills, MD. 20784

Joel L. Katz, Esq.
2060 West Street
Annapolis, MD. 21401

Patricia A. Miller, Esq.
170 West Street
Annapolis, MD. 21401

TRUE COPY,

TEST: Robert P. Duckworth, Clerk

By:_____ Deputy

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P

ROBERT E. MEADE	*	IN THE
Plaintiff/Appellant	*	
v.		CIRCUIT COURT
ROGER K. MEADE	*	
AND THE		FOR
DECISIONS OF THE	*	
ORPHANS' COURT FOR		ANNE ARUNDEL COUNTY
ANNE ARUNDEL	*	
COUNTY, IN RE THE		
ESTATE OF HELEN V.	*	
MEADE		
	*	
Defendants/Appellees		CASE NO. C-2001-72141.OC

ORDER ENTERING JUDGMENT

On the foregoing Motion for Sanctions On Behalf Of Patricia A. Miller, Esq., it is this 6th day of May, 2002.

ORDERED: that because the history of this proceeding reflects an ongoing, repetitive effort on the part of Robert E. Meade to delay the administration of this estate without justification, the court specifically finds that the failure of Robert E. Meade to appear at the court's scheduling conference on February 1, 2002 and his failure to appear at the court's re-set scheduling conference and show cause

hearing on February 22, 2002 was done in bad faith and without substantial justification and that the actions on the part of Robert E. Meade aforesaid, merit the assessment of costs and attorney's fees against him, and it is further

ORDERED: pursuant to Maryland Rule 1-341 that judgment be and it is hereby entered in favor of PATRICIA A. MILLER, ESQ. and against ROBERT E. MEADE in the amount of Six Hundred DOLLARS ($ 600 .00).

/s/
Ronald A. Silkworth, Judge

RONALD A. SILKWORTH, JUDGE

TRUE COPY,

TEST: Robert P. Duckworth, Clerk

By:_____ Deputy

ROBERT E. MEADE	*	IN THE
Plaintiff/Appellant	*	CIRCUIT COURT
v.		FOR
ROGER K. MEADE AND THE DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, IN RE THE ESTATE OF HELEN V. MEADE	*	ANNE ARUNDEL COUNTY
	*	
	*	
	*	CASE NO. C-2001-72141.OC
	*	
Defendants/Appellees		

ORDER ENTERING JUDGMENT

On the foregoing Motion for Sanctions filed By Counsel for the successor personal representative, it is this 6th day of May, 2002.

ORDERED: that because the history of this proceeding reflects an ongoing, repetitive effort on the part of Robert E. Meade to delay the administration of this estate without justification, the court specifically finds that the failure of Robert E. Meade to appear at the court's scheduling conference on February 1, 2002 and his failure to appear at

the court's re-set scheduling conference and show cause hearing on February 22, 2002 was done in bad faith and without substantial justification and that the actions on the part of Robert E. Meade aforesaid, merit the assessment of costs and attorney's fees against him, and it is further

ORDERED: pursuant to Maryland Rule 1-341 that judgment be and it is hereby entered in favor of PATRICIA A. MILLER, SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF HELEN V. MEADE and against ROBERT E. MEADE in the amount of One Thousand & Seventy Five DOLLARS ($1075.00).

/s/
Ronald A. Silkworth, Judge

TRUE COPY,

TEST: Robert P. Duckworth, Clerk

By:_____ Deputy

R

IN THE ORPHANS' COURT

FOR

ANNE ARUNDEL COUNTY, MARYLAND

IN THE ESTATE OF:

ESTATE NO: 45063

HELEN V. MEADE

ORDER

On the foregoing Estate's First Petition For Authority To Distribute Assets, it is this 6th day of June, 2002, pursuant to Maryland Rule 6-122 (b) (3),

ORDERED: That the Petition of the Successor Personal Representative be and it is hereby granted, and it is further

ORDERED: That the Successor Personal Representative be and she is hereby authorized and directed to execute and record the deed attached to the petition thereby transferring to Robert E. Meade the decedent's residence and the remaining contents therein, and it is further

ORDERED: That the Successor Personal

Representative be and she is hereby authorized and directed to transfer the tangible personal property specify bequeathed under the will to the respective heirs, to include the transfer to Robert E. Meade of assets in kind or in money or partly in kind and partly in money, having a value of $5,113, and it is further

ORDERED: That the Successor Personal Representative be and she is hereby authorized and directed to transfer to Roger K. Meade estate assets in kind or in money or partly in kind and partly in money, having a value of $81,262.50, and it is further

ORDERED: That in as much as the Successor Personal Representative has been required to post an indemnity bond to have the General Electric Company reissue the estate's lost stock certificates, the Successor Personal Representative is not required to distribute any of the Estate's General Electric Stock unless and until she has received a signed indemnity agreement from any prospective distributee thereof in a form satisfactory to her, and it is

further

ORDERED: That the interested parties shall have twenty (20) days from the date hereof to file a response after which time this order shall become final.

/s/
C. J.

/s/
A. J.

/s/
A. J.

cc: Walter S. B. Childs, Esq.
145 Main Street
Annapolis, MD. 21401

Robert E. Meade
P.O. Box 2260
Landover Hills, MD. 20784

Mr. Roger K. Meade
c/o Joel L. Katz, Esq.
2060 West Street
Annapolis, MD. 21401

Patricia A. Miller, Esq.
170 West Street
Annapolis, MD. 21401

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IN THE MATTER OF	*	IN THE ORPHANS' COURT
IN THE ESTATE OF	*	
		FOR
HELEN V. MEADE	*	
		ANNE ARUNDEL COUNTY
DECEASED #45063	*	
	*	
	*	

* * * * * * * * *

DECISION

A hearing was held Tuesday June 4, 2002 on the Estate of Helen V. Meade #45063. The hearing addressed the following:

1. A. Notice of Objection to Appointment of Successor Personal Representative and Petition for Removal of Successor Personal Representative filed by Robert E. Meade.

   B. Estate's Answer to Robert E. Meade's Notice of Objection and Petition for Removal of Personal Representative filed by Walter S. B. Childs.

   C. Answer to Notice of Objection to the Appointment of Successor Personal Representative and Petition for Removal of Successor Personal Representative filed by Joel L. Katz.

2. A. Emergency Objection to the Selling of the Real Property by the Successor Personal

Representative, Patricia A. Miller filed by Robert E. Meade.

B. Estate's Answer to Robert E. Meade's Emergency Objection to Selling Real Property filed by Walter S. B. Childs for Patricia A. Miller, Successor Personal Representative.

3. A. Petition for Order Restraining Successor Personal Representative filed by Robert E. Meade.

B. Estate's Answer to Robert E. Meade's Petition for Order Restraining Successor Personal Representative filed by Walter S. B. Childs for Patricia A. Miller, Successor Personal Representative.

C. Answer to Petition for Order restraining Successor Personal Representative filed by Joel Katz for Roger Meade.

4. A. Amended Proposal for Distribution for Property Settlement of the Estate filed by Patricia Miller.

B. Objection to proposal for Distribution of Property filed by Joel Katz for Roger Meade and Objection to proposal for Distribution of Property filed by Robert Meade.

5. A. Estate's First Petition for authority to Distribute Assets filed on March 25, 2002. This petition was opposed by Robert E. Meade's Response filed on April 15, 2002.

6. A. Estate's Motion for Sanctions Upon Failure to Provide Discovery filed on April 16, 2002. This motion was opposed by Robert E. Meade's

response filed on May 1, 2002.

7. A. Estate's Cross Motion for Sanctions upon the filing of Robert E.Meade's Motion for Removal to Baltimore City filed on April 29, 2002. This Cross Motion was opposed by Robert E. Meade's Response filed on May 20, 2002.

Appearing were Patricia Miller, Successor Personal Representative, Walter S. B. Childs, Esquire, Joel L. Katz, Esquire and Roger K. Meade. Petitioner Robert E. Meade did not appear.

All Objections, Petitions and Motions filed by Robert E. Meade are dismissed by the Court for failure to appear.

The Petition for Order Restraining Successor Personal Representative filed by Joel L. Katz, Esquire for Roger Meade has been withdrawn.

See attached Orders.

/s/
CHIEF JUDGE

/s/
ASSOCIATE JUDGE

/s/
ASSOCIATE JUDGE

Notify all parties.

T

IN THE ORPHANS' COURT

FOR

ANNE ARUNDEL COUNTY, MARYLAND

IN THE ESTATE OF:

ESTATE NO: 45063

HELEN V. MEADE

ORDER

The matters of

1. Notice of Objection to Appointment of Successor Personal Representative and Petition for Removal of Successor Personal Representative filed by Robert E. Meade;

2. Emergency Objection to the Selling of the Real Property by the Successor Personal Representative, Patricia A. Miller filed by Robert E. Meade;

3. Petition for Order Restraining Successor Personal Representative filed by Robert E. Meade;

4. Amended Proposal for Distribution for Property Settlement of the Estate filed by Patricia Miller;

5. Objection to proposal for Distribution of Property filed by Joel L. Katz for Roger Meade; and

6. Objection to Proposal for Distribution of Property filed by Robert Meade

coming on for hearing before this court on June 4, 2002, the Successor Personal Representative and her counsel appearing and Roger K. Meade and his counsel appearing, but Robert E. Meade failing to appear it is this 6th day of June, 2002

ORDERED: the matters numbered 1,2,3, and 6 be and they are hereby dismissed for the failure of Robert E. Meade to appear or provide any evidence, points or authorities to support his requests or concerns, and it is further

ORDERED: that matter numbered 5, (an objection to matter number 4) having been withdrawn by counsel for Roger K. Meade, matter number 4 no longer requires action by the court and is considered moot.

/s/
C.J.

/s/
A. J.

/s/
A. J.

cc: Walter S. B. Childs, Esq.
145 Main Street
Annapolis, MD. 21401

Robert E. Meade
P.O. Box 2260
Landover Hills, MD. 20784

Joel L. Katz, Esq.
2060 West Street
Annapolis, MD. 21401

Patricia A. Miller, Esq.
170 West Street
Annapolis, MD. 21401

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IN THE ORPHANS' COURT

FOR

ANNE ARUNDEL COUNTY, MARYLAND

IN THE ESTATE OF:

HELEN V. MEADE

ESTATE NO: 45063

ORDER DENYING MOTION FOR REMOVAL AND ENTERING SANCTIONS

On the foregoing Motion for Removal filed by Robert E. Meade with Cross Motion for Sanctions filed by Counsel for the Successor Personal Representative, it is this 6th day of June, 2002.

ORDERED: That the Motion for Removal be and it is hereby dismissed for failure to appear, and it is further

ORDERED: That the Cross Motion for Sanctions filed on behalf of the Estate be and it is hereby granted, and it is further

ORDERED: That because the history of this proceeding reflects an ongoing, repetitive effort on the part of Robert E.

Meade to delay the administration of this estate without justification, the court specifically finds that the continuing opposition on the part of Robert E. Meade to the efforts to have this estate administered and specifically his recent filing of a Motion for Removal was done in bad faith and without substantial justification and that the actions on the part of Robert E. Meade aforesaid, merit the assessment of costs and attorney's fees against him, and it is further

ORDERED: pursuant to Maryland Rule 6-141 that sanctions be and are hereby entered in favor of PATRICIA A. MILLER, SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF HELEN V. MEADE and against ROBERT E. MEADE in the amount of FOUR HUNDRED THIRTY DOLLARS ($ 430.00)

/s/
CHIEF JUDGE

/s/
ASSOCIATE JUDGE

/s/
ASSOCIATE JUDGE

Notify all Parties.

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IN THE ORPHANS' COURT

FOR

ANNE ARUNDEL COUNTY, MARYLAND

IN THE ESTATE OF:

HELEN V. MEADE

ESTATE NO: 45063

ORDER OF THE COURT

On the foregoing Estate's Motion for Sanctions Upon Failure To Provide Discovery filed herein by the Successor Personal Representative, it is this 6th day of June, 2002:

ORDERED: The Estate's motion for Sanctions under rule 2-433 be and it is hereby granted, and it is further,

ORDERED: Pursuant to Maryland Rules 6-461, and 2-433 (a) (1), that Robert E. Meade be and he is hereby charged with having taken from the decedent's residence, after her death, an antique electric mandolin as an advance distribution of personal property to himself, at a value to be determined by this court when presented with an appraisal

thereof from the estate, and it is further,

ORDERED: Pursuant to Maryland Rules 6-461, and 2-433(a)(1) & (2) that Robert E. Meade be and he is hereby:

1. not allowed or permitted to oppose the claims of the Estate that he has received the decedent's electric mandolin, coin collection, gas generator, gun collection or to challenge the estate's appraisal of the value of these things;

2. not allowed or permitted to oppose the claims of the estate that the rental value of the estate's real property was a valuable estate asset, that he resided in the estate's property without paying rent between the decedent's date of death and the date he was evicted from the property; that he received, as an advance distribution, the fair rental value of the estate's property during the time of his occupancy of the residence and that such advance distribution is to be treated as going to him as a part of his share of the estate proceeds;

3. not allowed or permitted to question or challenge the actions taken or to be taken by the successor Personal Representative to complete the administration of this estate;

4. not allowed or permitted to question or challenge the Amended Proposal For Distribution Of Property And Settlement Of The Estate or any of the steps to be taken pursuant to the implementation of such Proposal;

and it is further,

ORDERED: pursuant to Maryland Rule 2-433 (a)(3) that, in the nature of a default judgment, being entered against him, Robert E. Meade be and he is hereby barred from contesting, excepting to or objecting to any and all motions, petitions, accountings, appraisals, reports, orders, rulings, directives and the like filed by others in this estate administration. The said Robert E. Meade will not be heard during the course of any hearings or other court proceedings in this estate administration. Any motions, objections, exceptions, requests for hearing, and the like that Robert E. Meade files in this estate shall not be received; and it is further,

ORDERED: pursuant to Maryland Rule 2-433(a)(3) that the clerk shall strike from the record any pleadings that

Robert E. Meade has filed to date or that he attempts to file in the future, and it is further,

ORDERED: pursuant to Maryland Rule 2-433 (c) that this court, having granted the estate's motion shall hold a hearing on the 11th day of June 2002 at 10 AM for the purpose of providing an opportunity for hearing, at which time the court shall order monetary sanctions to be assessed against Robert E. Meade in favor of the estate for the reasonable costs of obtaining this order, including attorney's fees.

/s/
C. J.

/s/
A. J.

/s/
A. J.

cc: Walter S. B. Childs, Esq.
145 Main Street
Annapolis, MD. 21401

Mr. Roger K. Meade
c/o Joel L. Katz, Esq.
2060 West Street
Annapolis, MD. 21401

Robert E. Meade
P.O. Box 2260
Landover Hills, MD. 20784

Patricia A. Miller, Esq.
170 West Street
Annapolis, MD. 21401

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IN THE MATTER OF	* IN THE ORPHANS' COURT
IN THE ESTATE OF	*
	FOR
HELEN V. MEADE	*
	ANNE ARUNDEL COUNTY
DECEASED #45063	*
	* June 11, 2002
	*

* * * * * * * * *

DECISION

A hearing was held Tuesday, June 11, 2002 on the Estate of Helen V. Meade #45063 regarding the following: Exceptions to Petition for Personal Representative's Commission and Expenses filed by Patricia A. Miller, Successor Personal Representative. Opposition to Petition for Personal Representative's Commissions and Expenses filed by Joel L Katz, L.L.C. for Roger K. Meade. Amended Answer Opposing Petition for Personal Representative's Commission and Expenses filed by Joel L. Katz, L.L.C. for Roger K. Meade. Exceptions to Petition for Personal Representative's Commission and Expenses filed by Robert E. Meade. Exceptions to Petition for Counsel Fees filed by Patricia A. Miller, Successor Personal Representative. Opposition to Petition for Counsel Fees filed by Joel L. Katz, L.L.C. for Roger K. Meade. Exceptions to Petition for Counsel Fee filed by Robert E. Meade. Exceptions to Third and Final Administration Account filed by Patricia A. Miller, Successor Personal Representative. Exceptions to Third and Final Administration Account of Juanita Hundley, Personal Representative of the Estate of Helen V. Meade filed by Robert E. Meade. Also, Motion by the Estate for Sanctions against Robert E. Meade.

Appearing were Walter S. B. Childs, Esquire, Patricia A. Miller, Esquire, Joel L. Katz, Esquire, Thomas J. Aversa, Jr., Esquire, Roger K. Meade and Juanita Hundley.

Statements were made by the attorneys and four (4) exhibits were presented to the Court.

All exceptions filed by Robert E. Meade are dismissed for failing to appear.

Upon consideration of the above Motions, Exceptions and Oppositions, the Court rules the following:

The Court does hereby order the former Personal Representative Juanita Hundley to make the adjustments to the Third and Final Account as outlined at the Hearing by Walter S. B. Childs, attorney for the estate within ten (10) days of this date.

(see attached Orders)

/s/ C. J.

/s/ A. J.

/s/ A.J.

Notify all parties.

X

IN THE ORPHANS' COURT

FOR

ANNE ARUNDEL COUNTY, MARYLAND

IN THE ESTATE OF:

HELEN V. MEADE

ESTATE NO: 45063

ORDER OF COURT

This Court held a hearing on June 4, 2002 on the motion by the estate for sanctions against Robert E. Meade and made findings as follows:

1. Robert E. Meade had willfully failed and refused to appear on April 9, 2002, for his deposition to be taken after due notice to him by the estate,

2. Robert E. Meade had failed and refused to provide answers to a set of interrogatory questions which were duly served on him by the estate,

3. Robert E. Meade had refused to provide a response or produce documents in answer to a request for production

of documents which was duly served on him by the estate.

The motion by the estate for sanctions against Robert E. Meade having been granted, as a part of the order dated June 6, 2002 imposing sanctions, it was ordered that a hearing be held on June 11, 2002, for the purpose of determining the reasonable expenses including attorney's fees which were caused by the failure of Robert E. Meade to provide responses to the discovery requests by the Estate.

The matter coming on for a hearing, and representatives of the estate appearing in court, but Robert E. Meade failing to appear and upon review of the Estate's Affidavit in support of monetary sanctions being imposed, it is this 11th day of June, 2002:

ORDERED: That the Estate's request for an award of reasonable expenses including attorney's fees under Rule 2-433 (c) be and it is hereby granted, and it is further,

ORDERED: that Robert E. Meade pay unto the estate of Helen V. Meade the sum of One Thousand Two Hundred Ninety Dollars ($ 1,290.00) as reasonable expenses of

obtaining the Order.

/s/
C.J.

/s/
A. J.

/s/
A. J.

cc: Walter S. B. Childs, Esq.
145 Main Street
Annapolis, MD 21401

Mr. Roger K. Meade
c/o Joel L. Katz, Esq.
2060 West Street
Annapolis, MD 21401

Robert E. Meade
P.O. Box 2260
Landover Hills, MD 20784

Patricia A. Miller, Esq.
170 West Street
Annapolis, MD 21401

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IN THE MATTER OF	* IN THE
THE ESTATE OF	* ORPHANS' COURT
HELEN V. MEADE	* FOR
	* ANNE ARUNDEL COUNTY
	* ESTATE NO. 45063
	*

* * * * * * * * *

ORDER

Upon review of the Exceptions to the Petition for Personal Representative's Commission and Expenses, it is this 11th day of June, 2002, by the Orphans' Court for Anne Arundel County,

ORDERED: that the Personal Representative be reimbursed $47.25 for her expenses and that she be denied a commission in this matter.

/s/

/s/

/s/
JUDGES

z

IN THE MATTER OF * IN THE

THE ESTATE OF * ORPHANS' COURT

HELEN V. MEADE * FOR

#45063 * ANNE ARUNDEL COUNTY

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* * * * * * * * *

ORDER

Upon review of the Exceptions to the Petition for Attorneys fees it is this 11th day of June, 2002, by the Orphans' Court for Anne Arundel County,

ORDERED: that the Attorneys fees be paid to Thomas J. Aversa, Jr., Esquire in the amount of $10,400.00.

/s/

/s/

/s/